

House Bill 605

By: Representative Morris of the 155th

A BILL TO BE ENTITLED
AN ACT

To amend Article 1 of Chapter 2 of Title 45 of the Official Code of Georgia Annotated, relating to eligibility and qualifications for public office and public employment, so as to repeal certain provisions relating to prohibited employment of aliens which have been judicially found to be overbroad and unconstitutional; to provide an effective date; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Article 1 of Chapter 2 of Title 45 of the Official Code of Georgia Annotated, relating to eligibility and qualifications for public office and public employment, is amended by repealing and reserving Code Section 45-2-7, relating to prohibited and permitted employment of aliens, and Code Section 45-2-8, relating to sanctions, as follows:

"45-2-7.

Reserved. ~~(a) Except as provided in subsections (b) through (d) of this Code section, no department of the state government or any political subdivision thereof shall employ any alien for any purpose until a thorough investigation has been made and it is ascertained that there is no qualified American citizen available to perform the duty desired.~~

~~(b) An institution of the University System of Georgia may employ an alien who is attending such institution as a student. Such an institution may employ any other alien for a period of time not to exceed one year or may enter into exchange professorship agreements with institutions, foreign or otherwise, where aliens are involved for a period of time not to exceed one year.~~

~~(c) The prohibition of subsection (a) of this Code section shall not apply to the employment of an alien who is not a Communist and who is in this country as a student enrolled in a college or university in this state or in a program of student exchange sponsored or participated in by a college or university in this state, as certified by the dean or registrar thereof.~~

~~(d) The prohibitions of subsection (a) of this Code section shall not apply to the employment of aliens licensed under Code Section 43-34-33, relating to the licensing of aliens to practice medicine or pharmacy.~~

45-2-8.

Reserved. ~~Any department head or any official of any political subdivision in this state who violates Code Section 45-2-7 shall be subject to removal from office by the Governor of the state."~~

SECTION 2.

This Act shall become effective upon its approval by the Governor or upon its becoming law without such approval.

SECTION 3.

All laws and parts of laws in conflict with this Act are repealed.